

REMARKS

Claims 4-9 remain in this application. Claims 1-3 were previously canceled. Reconsideration of the application is requested.

The language of claims 4 and 5 is amended above following consideration of the comments provided by the Examiner on pages 2-3 of the Office Action. Support for language relating to the "groove intersection points" recitation of claim 1 appears, for example, on page 4 of the original English translation and in paragraph 0019 of the substitute specification. It is respectfully submitted that the claims of this application comply with all requirements of 35 U.S.C. § 112.

Independent claim 4 is rejected under 35 U.S.C. § 102(a), along with dependent claims 5, 8, and 9, as anticipated by international PCT publication WO 03/051666 to Huo et al. additionally rejected under 35 U.S.C. 103(a). However, claim 4 is amended above to incorporate limitations previously appearing in claim 6, which was not included in the rejection based on the Huo et al. publication, and the anticipation rejection of claims 4, 5, 8, and 9 based on the Huo et al. publication is moot.

Claim 4 is also rejected under 35 U.S.C. 103(a), along with claims 5-9, as unpatentable over newly cited U.S. Patent 4,866,800 to Bedford in view of U.S. Patent 6,179,706 to Yoshinori et al., of record but newly applied. Reconsideration is requested. There is nothing noted by the Examiner to suggest (1) that the Bedford support pad as originally configured with fan 27 and foam layers 11, 13, and 15 fails to provide adequate cooling comfort with already minimal air loss, (2) that these comfort and air loss characteristics would be improved by the modification proposed by the Examiner, or (3) that the Bedford

support pad as originally configured is in any way aesthetically displeasing. It is respectfully submitted that the rationale set forth by the Examiner for the proposed modification to the Bedford support pad is inappropriate, and that the obviousness rejection of claims 4-9 based on the Bedford and Yoshinori et al. patent disclosures should be withdrawn.

Claim 4 is additionally rejected under 35 U.S.C. 103(a), along with claims 5-9, as unpatentable over U.S. Patent 6,196,627 to Faust et al., of record but newly applied, in view of the Yoshinori et al. patent. Reconsideration of this rejection is also requested. Again, there is nothing noted by the Examiner to suggest (1) that the Faust et al. vehicle seat as originally configured with fans 29, cushion 13, and ventilation layer 23 fails to provide adequate cooling comfort with already minimal air loss, or (2) that these comfort and air loss characteristics would be improved by the modification proposed by the Examiner. It is respectfully submitted that the rationale set forth by the Examiner for the proposed modification to the Faust et al. vehicle seat is also inappropriate, and the obviousness rejection of claims 4-9 based on the Faust et al. and Yoshinori et al. patent disclosures should also be withdrawn.

On pages 8-9 of the Office Action, claims 6 and 7 are rejected under 35 U.S.C. 103(a) as unpatentable over the Huo et al. publication in view of the Yoshinori et al. patent. As far as this rejection may now be considered applicable to claim 4 as amended above, reconsideration is requested. Contrary to the assertion made by the Examiner on page 8 of the Office Action, the Huo et al. ventilation system *does* include a covering layer having a "support," defined by body 4, and a "lining," formed by cover material 7 and heating mat 34. It is

respectfully submitted that the Huo et al. system has not been properly characterized by the Examiner, and that the modification to the Huo et al. system proposed by the Examiner is not in fact suggested by the Yoshinori et al. patent for the reasons the Examiner provides.

It is respectfully submitted that all of the claims in this application are patentable in their present forms for reasons discussed above, and that this application is now in allowable condition. If there are any questions regarding this Reply or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an extension of time sufficient to effect a timely response. Please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #095309.56028US).

Respectfully submitted,

Richard R. Diefendorff
Registration No. 32,390

September 30, 2008

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
RRD:rd